

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS

EASTERN DIVISION

ALAIN EDUARDO BARQUERA  
JIMENEZ,

Case No.:

Plaintiff,

v.

Personal Injury Action (28 U.S.C. §1332)

EXTRA TRANSPORTATION &  
LOGISTICS INC., and ROBERT  
CYRUS COLLIER,

[DEMAND FOR JURY TRIAL]

Defendants.

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**COMPLAINT AND DEMAND FOR JURY TRIAL**

Plaintiff, ALAIN EDUARDO BARQUERA JIMENEZ, by and through his undersigned counsel, files this Complaint for damages against Defendants, EXTRA TRANSPORTATION & LOGISTICS INC., and ROBERT CYRUS COLLIER and alleges the following:

**I. PARTIES**

1. At all times relevant to this Complaint, Plaintiff Alain Eduardo Barquera Jimenez (“Plaintiff”) was an individual residing in the City of Chicago, County of Cook, State of Illinois and was a citizen of the State of Illinois.

2. At all times relevant to this Complaint, defendant Extra Transportation & Logistics Inc. was and presently is a for-profit corporation incorporated under the laws of the State of Indiana.

3. At all times material hereto, Defendant, Robert Cyrus Collier (“Collier”) was an individual residing in the City of Indianapolis, County of Marion, State of Indiana and was a citizen of the State of Indiana.

## **II. JURISDICTION AND VENUE**

4. This Court has jurisdiction over this matter pursuant to 28 USC §§1332.

5. The amount in controversy exceeds, exclusive of interest and costs, the sum of \$75,000, and the action is between parties with complete diversity of citizenship.

6. Plaintiff's claims arose in Will County, Illinois, making venue appropriate in the United States District Court for the Northern District of Illinois, under 28 USC §1391.

## **III. FIRST CAUSE OF ACTION**

### **(Automobile Negligence)**

7. Plaintiff realleges and incorporates by reference paragraphs 1 to 6.

8. At all times relevant to this Complaint, Defendant Extra Transportation & Logistics Inc., was in possession of, owned and operated a 2012 Volvo VNL Series bearing VIN # 4V4NC9TJ6CN543497 which it operated under DOT # 565140, in the Township of DuPage, State of Illinois.

9. At all times relevant to this Complaint, Defendant Robert Cyrus Collier was employed by Extra Transportation & Logistics Inc. and was operating the aforementioned vehicle in the course and scope of his employment and/or agency with Extra Transportation & Logistics Inc.

10. Defendant Collier owed a duty to exercise reasonable care in the operation of Extra Transportation & Logistics Inc. vehicle.

11. On or about June 21, 2019, Plaintiff was operating a 2017 Mitsubishi Fuso Canter motor vehicle while in the Township of DuPage, in the State of Illinois.

12. On the aforementioned date, Defendant Collier carelessly operated his vehicle while on the far right lane of I-55, improperly switched lanes to the left sideswiping a vehicle on said lane, correcting and returning to the far-right lane, rear-ending the vehicle behind plaintiff,

forcing said vehicle forward and impact Plaintiff's vehicle from behind, forcing Plaintiff's vehicle forward, causing same to collide with the rear of the vehicle in front of Plaintiff.

13. Defendant Collier breached his duty of care owed to Plaintiff, by failing to maintain control of his vehicle, failing to maintain proper look out, failing to stop due to traffic and further failing to operate said vehicle with due caution and reasonable care.

14. As a direct and proximate cause of the incident described and failure of Defendant Collier to use due care as more fully described in this complaint herein, Plaintiff was injured, incurred in the past and will incur in the future lost wages and medical expenses thereby entitling him to economic damages in an amount to be proved at trial.

15. As a further proximate cause of the incident and wrongful conduct described in this complaint herein, Plaintiff was injured in the past and into the future wherein he sustained emotional distress, pain and suffering, inconvenience and other non-economic damages all in an amount to be proved at trial.

WHEREFORE, Plaintiff seeks for an award judgment in his favor and against Defendants, joint and severally as follows:

1. For non-economic damages in an amount to be proved at the time of trial but which exceed the jurisdictional limits of this Court.
2. For economic damages in an amount to be proved at the time of trial, but which exceed the jurisdictional limits of this Court.
3. For costs and disbursements incurred herein; and
4. For such other relief as this Court deems just and proper.

Respectfully submitted,

By: /s/ James M. Loren

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